

REMARKS

Amended Claim 1

The Office Action acknowledges receipt of the Amendment filed December 30 2004.

For the record and for the purposes of the following arguments, amended claim 1 is set out below, with emphasis added, and divided into sub-paragraphs A through C:

1. A smart document comprising a pliable thin portion carrying on the smart document's front and/or rear face imprinted visible data, and a thick portion wherein a magnetic strip and/or storage chip (contact or contactless) is merged, the magnetic strip and/or storage chip storing encoded data that is readable by means of a reader,

(A) characterized in that the thick portion that includes the magnetic strip and/or storage chip (contact or contactless) is a planar thick card portion attached to an edge of the thin portion in a manner allowing inclination of the thick card portion relative to the thin portion, the thick card portion being divided into first and second parts on either side of the attachment to the edge of the thin portion, the thick card portion being inclinable between:

(B) a flat position, in which the first part of the thick card portion overlays an adjacent section of the thin portion, and in which the second part of the thick card portion protrudes beyond the attached edge of the thin portion, and

(C) inclined positions in which the thick card portion is at a variable angle to the pliable thin portion, and in which the first and second parts of the thick card portion protrude in opposite directions from the attached edge of the thin portion at a variable angle to the adjacent section of the thin portion, wherein the thick card portion and the pliable thin portion remain connected by said attachment edge during and after inclination of the thick card portion relative to the pliable thin portion, allowing the thick card portion and the pliable thin portion to remain as a unitary smart document with a selectively inclinable thick card portion whose first and second parts on either side of the attachment edge remain accessible.

Claim rejections – 35 USC § 102.

Claims 1-5-11, 13-16, 18-20 and 24-35 stand rejected under 35 USC § 102 as being anticipated by Blank (2003/0150919).

The Applicant respectfully traverses this objection for the reasons set out in the previous response completed by the following.

In Blank's Figs 1-7, a transaction card 10 is attached to an auxiliary portion 20 by a line of weakness 2 so the card can 10 be separated from the auxiliary portion 20 by hand. In Figs. 2-7, Blank's line of weakness 2 is a straight line. One edge of the transaction card 10 is connected by this line of weakness 2 to the auxiliary portion in an edge-to-edge relationship.

By comparison with the wording of sub-paragraph (A) of Applicant's claim 1, it can be seen that Blank's transaction card/portion has a planar thick card portion attached to an edge of the thin portion in a manner allowing inclination of the thick card portion relative to the thin portion, but Blank's thick card portion is not divided into first and second parts on either side of the attachment to the edge of the thin portion. Instead, in Blank the thick card part and the auxiliary portion are in edge-to-edge contact along the line of weakness.

By comparison with the wording of sub-paragraph (B) of Applicant's claim 1, it can be seen that when Blank's transaction card and auxiliary portion are flat the card and the auxiliary portion are against one another edge-to-edge. Blank's card portion consequently does not have a first part that overlays an adjacent section of the thin portion. Blank's card and auxiliary portion are edge-to-edge. In Blank the entire thick card portion protrudes beyond the attached edge of the thin portion, not just a second part thereof as required by Applicant's claim 1.

By comparison with the wording of sub-paragraph (C) of Applicant's claim 1, it can be seen that in Blank's arrangement the thick card portion can indeed be inclined at a variable angle to the pliable thin portion, but only so long as the card and auxiliary portion remain attached. Blank however does not have first and second parts of the thick card portion that protrude in opposite directions from the attached edge of the (thin) auxiliary portion at a variable angle to the

adjacent section of the thin portion. Bank's card and its auxiliary portion can remain connected by their attachment edge during and after inclination of the card relative to the auxiliary portion, only so long as the attachment edge remains intact, i.e while the adjacent edges remain in edge-to-edge contact. Blank's card portion and auxiliary thin portion do not remain as a unitary smart document with a selectively inclinable thick card portion whose first and second parts on either side of the attachment edge remain accessible. In fact, in Blank, the connected edge of the transaction card becomes accessible in the sense of Applicant's claim 1 only after detachment of the auxiliary portion 10. While Blank's card 10 remains attached, its connected edge remains connected in edge-to-edge relationship with the auxiliary portion 20. Blank's connected card edge hence does not protrude relative to the connection line. It protrudes only after detachment.

Under the caption "Response to Arguments" it was stated that the Applicant's arguments have been considered but are "not persuasive". The reasoning states that the current amendment includes the limitation that the thick card portion and the pliable thin portion remain connected by the attachment edge during and after inclination of the thick card portion relative to the pliable thin portion, allowing the thick card portion and the pliable thin portion to remain as a unitary smart document (true). The reasoning also states that although Blank teaches that the thin card portion may be separated from the thin portion, this separation does not need to take place in order to use the thick card portion. Therefore Blank's smart document may remain as an unitary document as long as the thick and thin portions are not separated. This again is true. However, the Applicant respectfully points out that the Examiner has omitted to consider all of the previous arguments, which are completed herein.

The Applicant accepts that Blank's card/portion may remain as a unitary document as long as the transaction card and auxiliary portion are not separated. However, while Blank's card/portion remain connected, the edge of the card does not protrude as specified in Applicant's claim. This makes it inconvenient to use the card while its remains attached. Although Blank's combined card/portion may be bent without causing detachment of the auxiliary portion, it would not be convenient to handle the combined card/portion for passing the card through a reader machine. This could only be done by grasping the card or the card/portion along a side edge but would not allow a firm and convenient grip for passing the card 10 for example with a strip like 13 of Fig. 2 through a card reader. It follows therefore that the differences between the now-claimed invention and the

illustrated embodiment's of Blank's detachable transaction card and auxiliary portion are technically significant.

In addition to the embodiments illustrated in the drawings, Blanc also describes an alternative embodiment in paragraph [0036] where the portions are connected differently.

As stated in the previous amendment, Blanc's alternative embodiment provides for an overlapping transaction card and auxiliary portion of different materials, joined together in their region of overlap with the overlapping parts glued together with an adhesive that allows separation. There is no disclosure of a "permanent" joint providing for a "permanent" inclinable connection of the two parts relative to one another, leaving the two parts of the card on opposite sides of the connection accessible, as specified in Applicant's claim 1, and that allows the two parts to be selectively inclined to one another and to remain as a unit with two parts of the card on opposite sides of the connection accessible.

In all of Blanc's embodiments, the side of the card along the connection line 2 becomes accessible within the meaning of Applicant's claim 1 only after detachment of the card from its auxiliary portion. In the claimed invention, the two parts of the card on either side of the connection line remain accessible all of the time while the two parts form a unitary smart document with an inclinable card.

It follows that Blank does not describe the invention set out in Applicant's Claim 1 which must thus be held to be novel over the Blanc disclosure.

Regarding claims 2-5-11, 13-16, 18-20 and 24-35, the Applicant submits that these claims are all novel over Blank for the above reasons in connection with claim 1, and for the additional reasons set out in the previous response with regard to the specific dependent claims.

Therefore, in summary, the Applicant submits that all claims are novel over Blanc and respectfully requests that this ground of rejection be removed.

Claim Rejections – 35 USC § 103

As in the previous response, before reverting to the obviousness objections to the given dependent claims, the Applicant wishes to set out the reasons why in his opinion claim 1 should be regarded as non-obvious over Blanc.

Blanc provides a combined card and removable auxiliary portion where the card must be removed from the auxiliary portion for the card to be freely accessible from all its sides so it can be used in the normal way in conjunction with a card reader device.

The instant application provides a combined smart document where a thick card portion is permanently attached to a thin flexible portion to form unitary smart document with a selectively inclinable thick card portion, the card having inclinable first and second parts that protrude on either side of an attachment edge to the thin portion, these first and second parts of the card portion remaining accessible to facilitate handling of the combined smart document.

Relative to Blank's disclosure as the closest prior art, the Applicant's new smart document with unitary card and pliable thin portion solves the technical problem of offering improved accessibility of the card for passing it through reader devices etc. while the combined smart document remains unitary.

Blanc contains no suggestion of arriving at a solution to the problem which involves providing such combined smart document where first and second parts of the card protrude from and remain accessible on either side of a connection line. To the contrary, the skilled person is taught by Blanc to connect the card to the auxiliary portion along a detachment line that requires separation of the card to have free access to the card's connected edge. This is totally contrary to the teaching of the instant invention, which requires the inclinable first and second parts of the card on either side of a "permanent" attachment edge to remain always accessible to the user for good manipulation of the combined smart document whose card does not have to be – and is not – separated to have good access to the card.

Indeed, the skilled person finds no guidance in Blanc towards such a combined smart document as claimed.

Blank teaches a detachable transaction card and auxiliary portion. When Blank's card is detached from its auxiliary portion it functions as an ordinary transaction card. This therefore does not guide towards the inventive solution.

While Blanc's transaction card remains attached to the auxiliary document, it is not convenient for use as a combined document. This is perfectly normal as Blanc's documents are designed to be separated for the transaction card to be used. Thus, in the connected state, if Blank's card has a magnetic stripe like 13 adjacent its free edge as shown in Fig. 2, the user theoretically would be able to pass the strip 13 through a reader while the card 10 and portion 20 remain attached, but it would be very inconvenient for the user to do this. Instead, as expected by Blank, the user would normally first detach the card 10 so it could be firmly held to pass the strip through the reader.

Supposing Blank's strip 13 were placed adjacent to the detachment edge 2, it would of course be necessary for the user to detach the card to pass it through the reader.

In either case, Blank provides no teaching that would guide the user to the Applicant's now-claimed solution where the card is connected to the pliable portion along a line of connection from which inclinable first and second parts of the card protrude, and where the card and the pliable portion are connected so they remain united during use, forming a handy-to-use combined smart document.

The Applicant therefore submits that the claimed invention could not have been derived in an obvious way by a person having ordinary skill in the art, starting from Blanc.

Regarding the specific rejections under 35 USC 103(a) against Claim 12, Claim 17 and Claims 21-23, the Applicant refers to the arguments on record showing that the secondary references also do not lead to the claimed subject matter in any obvious way.

In view of the above it is believed that all claims are in condition for allowance and a notice to that effect is earnestly solicited.

Respectfully submitted,

Moosa Eisa AL AMRI

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By: Michael O. Sturm
Michael O. Sturm
Reg. No. 26,078

STURM & FIX LLP
206 Sixth Avenue, Suite 1213
Des Moines, Iowa 50309-4076
Telephone: (515) 288-9589
Facsimile: (515) 288-4860